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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
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10 GARY DIAZ,

11 Plaintiff,

12 v.

13 UNIQUE MANAGEMENT SERVICES,
14 INC.,

15 Defendant.

Case No. 2:11-CV-01680-KJD-VCF

ORDER

16 On November 1, 2011, Magistrate Judge Cam Ferenbach issued a Report and
17 Recommendation (#2) that Plaintiff's Application to Proceed *In Forma Pauperis* (*IFP*) be denied and
18 that Plaintiff pay the full filing fee no later than November 30, 2011. Plaintiff filed objections (#3) to
19 the Report and Recommendation. On January 24, 2012, the Court adopted and affirmed (#8) the
20 report and recommendation and ordered Plaintiff to pay the filing fee, or alternatively, based on his
21 asserted change in financial circumstances, file a new *IFP* application no later than February 8, 2012.
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23 On February 9, 2012, Plaintiff filed a new Application (#9). On March 2, 2012, Judge
24 Ferenbach denied (#15) the Application and ordered Plaintiff to pay the full filing fee no later than
25 March 19, 2012, or voluntarily stipulate to dismiss the present action without prejudice. Plaintiff
26 failed to pay the filing fee or file a stipulation.

1 The Magistrate Judge then issued a Report and Recommendation (#16) recommending that
2 Plaintiff's complaint be dismissed without prejudice because Plaintiff failed to pay the filing fee in
3 accordance with the Court's Order (#15). Objections to the findings and recommendation were due
4 no later than April 16, 2012. Payment of the full filing fee was due no later than March 19, 2012.

5 More than the allotted time has elapsed and plaintiff has not paid the filing fee or filed
6 objections. Accordingly, this action will be dismissed for failure to comply with the court's order.

7 Accordingly, **IT IS HEREBY ORDERED** that the Report and Recommendation (#16) of
8 the United States Magistrate Judge entered March 29, 2012, is **ADOPTED** and **AFFIRMED**;

9 **IT IS FURTHER ORDERED** that Plaintiff's complaint is **DISMISSED** without
10 prejudice for failure to comply with the Court's order to pay the filing fee.

11 DATED this 17th day of April 2012.

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Kent J. Dawson
United States District Judge